



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

September 1, 2016

Waiver 16-08-018

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Noelle Gunzburg is a supervisory therapist at the 24-Hour Crisis Center (Crisis Center) operated by the Behavioral Health and Crisis Services Division at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed as a Case Auditor/Coordinator at Baltimore County Crisis Response (BCCR), an entity affiliated with Affiliated Sante Group (ASG).

DHHS has several contracts with ASG for various services. Ms. Gunzburg's outside employment with BCCR is not funded by nor has any relationship to the contracts DHHS has with ASG, and her employment with DHHS as a supervisory therapist has no relation to the contracts the County has with ASG.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Gunzburg not referring, in her County capacity, DHHS clients to ASG and on Ms. Gunzburg not working, while at BCCR, with any clients of her program at DHHS.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Gunzburg.

For the Commission:

Steven Rosen, Chair

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